

REMARKS

The Examiner has rejected claims 1 and 7-10 under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (US Patent No. 6,356,435) in view of Chen (US Patent No. 6,700,777).

Applicant respectfully traverses the Examiner's rejections according to at least the following reasons.

Referring to Davis' Figure 1 and disclosure of col. 3, lines 1-12, the cooling assembly 12 should be attached to the motherboard 16 to isolate the CPU module 38 on the motherboard 16 from other components. That is, the motherboard 16 is located under the cooling assembly 12 and above the video card 17. Therefore, Davis's motherboard 16 will not and can not be located or mounted on the bottom of the case 10. That is, Davis does not teach Applicant's claim 1 of the motherboard mounted on the bottom portion of the case. Moreover, since the cooling assembly 12 is blocked at the location between the power supply 15 and the motherboard 16, and the box is located below the CD-ROM 13 and FDD 14, there is no heat dissipation channel cleared between the CD-ROM 13 and FDD 14 (referring to Applicant's second access unit) and the motherboard 16 to allow air entering inside the case to flow and deliver heat from the front to the back of the case therethrough as in Applicant's claim 1.

Furthermore, as stated in previous reply, Applicant can not find any related description in Davis' specification to show the elements above the power supply 15 in Fig. 1 are hard drives. For skilled person in the art, normally the hard drive will be located in the

box under the floppy drive 14 in Davis' Fig. 1. The elements disposed above power supply 15 should be unknown. As stated in MPEP §706.02(j):

"To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

Davis does not expressly or impliedly suggest that the elements above the power supply 15 in Figure 1 are hard drives. Nor the Examiner presents a convincing reason why they are hard drives.

Therefore, Applicant respectfully submits that it would not be obvious to a skilled person in the computer field to combine Davis with Chen to obtain Applicant's claimed invention. The standard for obviousness is described as follows.

To establish a *prima facie* case of obviousness based on a combination of the content of various references, there must be some teaching, suggestion or motivation in the prior art to make the specific combination that was made by the applicant. *In re Raynes*, 7 F.3d 1037, 1039, 28 USPQ2d 1630, 1631 (Fed. Cir. 1993); *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). Obviousness can not be established by hindsight combination to produce the claimed invention. *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991). As discussed in *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1985), it is the prior art itself, and not the applicant's achievement, that must establish the obviousness of the combination. *In re Dance*, 48 USPQ2d 1635, 1637 (CAFC 1998).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or the combine reference teachings. Second, there must be a reasonable expectation of

success. Finally, the prior art reference (or references when combined) must teach or suggest all the claimed limitations.

There is not any suggestion or desirability for Davis or further combining Chen to obtain the pending claim 1. Further, even if Davis should be modified or combined by the teaching of Chen, no reasonable expectation of success is foreseeable. Thirdly, the combination does not teach or suggest all the claimed limitations, particularly the arrangement of the hard drives. Therefore, the Examiner does not meet with the requirement of establishing a *prima facie* case of obviousness. The rejections over claims 1 and 7-10 are thus respectfully traversed.

In view of the foregoing, the application is believed to be in condition for allowance. Entry of the amendments and issuance of a Notice of Allowance is therefore respectfully requested. If any additional fee is required, please charge Deposit Account Number 502751.

Respectfully submitted,

By /Kao H Lu/
Kao H. Lu, Esquire
Registration No. 43,761
(610) 446-5886

686 Lawson Ave
Havertown, Pa 19083